



PROPOSED AMENDMENT  
TO

STATEWIDE INDUSTRIAL STORM WATER  
PERMIT

STAFF PRESENTATION  
JANUARY 9, 2018 – ITEM 6

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UNIT  
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# COMPONENTS OF PROPOSED AMENDMENT

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1

Sufficiently Sensitive Test Methods

2

Total Maximum Daily Load (TMDL)  
Implementation

3

Compliance Options

## 1

# SUFFICIENTLY SENSITIVE METHODS RULE

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- New federal regulations\* require NPDES permits to specify use of standard analytical methods that:
  - Have a minimum level (ML) at or below the water quality criteria or permit limitation for the measured pollutant or parameter
  - Have U.S. EPA approval as an alternative to the required standard methods
- New Rule applies to numeric action levels, TMDL-numeric action levels, and numeric effluent limitations.

\* (40 CFR122.21(e)(3) and 122.44(i)(1)(iv))



# TOTAL MAXIMUM DAILY LOADS



- A Total Maximum Daily Load (TMDL):
  - A set of requirements that allocate the maximum amount of a pollutant that can be discharged for attainment of water quality standards
- Addresses 303(d) listed impaired water bodies
- Is incorporated into a Regional Water Board Basin Plan through a basin plan amendment
- Must be implemented through a permitting action to be enforceable

# EXISTING 2014 INDUSTRIAL GENERAL PERMIT

- Attachment E lists approved TMDLs applicable to industrial dischargers
- 36 TMDLs within the following Regional Water Boards:
  - San Francisco Bay
  - Los Angeles
  - Santa Ana
  - San Diego



# EXISTING 2014 INDUSTRIAL GENERAL PERMIT

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- Finding 40: Regional Water Board staff required to develop TMDL-specific permit requirements for TMDLs listed in Attachment E
- Regional Boards individually released proposed TMDL-specific permit requirements for public comments (March 2016)
- State Water Board staff conducted focused stakeholder outreach (2016-2017)
- Proposed compliance option “alternatives” were developed through stakeholder participation

# PROPOSED PERMIT AMENDMENT

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- Waste Load Allocations translated to conform with existing General Permit regulatory structure
- Categorical translation of Waste Load Allocations for TMDL compliance:
  - 1) Compliance with existing General Permit requirements, including numeric action levels
  - 2) Compliance with more stringent TMDL-specific numeric action levels in addition to compliance with existing General Permit requirements, including numeric action levels
  - 3) Compliance with TMDL-specific numeric effluent limits in addition to compliance with existing General Permit requirements, including numeric action levels
- Pollutant identification modeled after current General Permit “Pollutant Source Assessment”

# BASIS OF TMDL TRANSLATIONS

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## **Compliance with existing General Permit requirements:**

1. TMDL does not assign a Waste Load Allocation specific to industrial storm water discharges

## **Compliance with TMDL-specific Numeric Action Levels:**

1. TMDL compliance deadlines are beyond the General Permit's 5-year term
2. Concentration-based Waste Load Allocations or target with compliance location in the receiving water body (not at the industrial facility property line)
3. Mass-based Waste Load Allocations that are not directly translatable for intermittent storm water discharges

## **Compliance with Numeric Effluent Limits:**

1. Concentration-based Waste Load Allocations specifically assigned to industrial storm water discharges at the point of discharge from the industrial facility



Pollutant Category Translations	
TMDL Pollutants	Proposed Compliance Variations
<b>Indicator Bacteria (8 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only, or</li> <li>• Additional TMDL-numeric action levels</li> </ul>
<b>Metals (12 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Additional TMDL-numeric action levels, or</li> <li>• Additional numeric effluent limitations</li> </ul>
<b>Nutrients (5 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only, or</li> <li>• Additional numeric effluent limitations</li> </ul>
<b>Toxics/Pesticides (6 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only,</li> <li>• Additional TMDL-numeric action levels, or</li> <li>• Additional numeric effluent limitations</li> </ul>
<b>Trash/Debris (2 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only, and implementation of trash controls</li> </ul>
<b>Salts (3 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only, or</li> <li>• Additional site-specific numeric effluent limitations</li> </ul>
<b>Sediment (3 TMDLs)</b>	<ul style="list-style-type: none"> <li>• Comply with General Permit only</li> <li>• One TMDL adds required discharge flow estimation</li> </ul>

## PROPOSED COMPLIANCE OPTIONS

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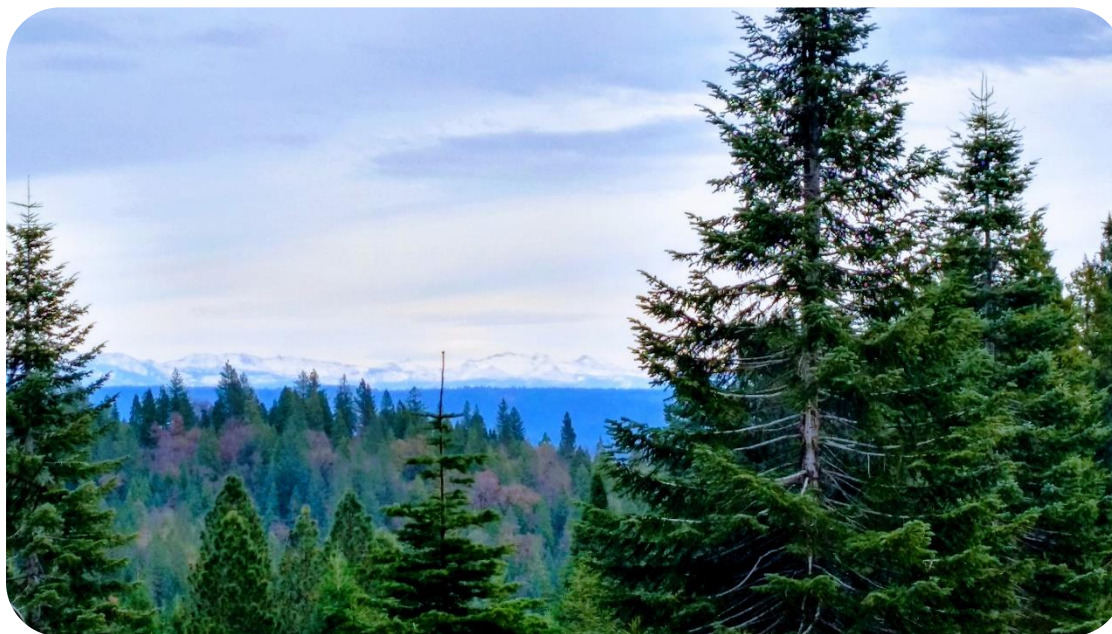
- Two proposed compliance options in Attachment I of the General Permit
  - **On-site compliance**: capture and use of industrial storm water and authorized non-storm water up to and including the daily volume of the 85th percentile 24-hour storm event; or
  - **Off-site compliance**: participation in agreements with municipalities resulting in off-site 85<sup>th</sup> percentile 24-hour storm event capture BMPs
- Applicable statewide
- Dischargers that successfully implement a compliance option are:
  - Deemed in compliance with discharge prohibitions, effluent limitations, and receiving water limitations, and
  - Exempt from the General Permit requirements listed in Attachment I

# PUBLIC PROCESS TIMELINE

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November 21, 2017	• Public notice issued by Board clerk
December 15, 2017	• Start of public comment period
December 18, 2017	• Sacramento staff stakeholder workshop
December 21, 2017	• Los Angeles staff stakeholder workshop
December 22, 2017	• San Diego staff stakeholder workshop
January 9, 2018	• State Water Board Public Hearing
January 31, 2018	• End of public comment period
Winter 2018	• Possible Board consideration for adoption

# Questions?



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Back Pocket Slide(s)

Pollutant Category Translations	
TMDL Approach	TMDL Count <sup>1</sup>
Comply with General Industrial Storm Water Permit	13
Comply with TMDL-Numeric Action Levels	17
Comply with TMDL-Numeric Effluent Limits	8

<sup>1</sup>some duplication since some TMDLs had multiple approaches

Pollutant Category Translations	
TMDL Requirement	Approach Count for TMDL Pollutants Limits
Comply with General Industrial Storm Water Permit	21
Comply with TMDL-Numeric Action Levels	86
Comply with TMDL-Numeric Effluent Limits	58